

**Appl. No. 10/669,619**  
**Amdt. dated October 20, 2005**  
**Reply to Office action of August 2, 2005**

### **REMARKS/ARGUMENTS**

Applicants have received the Office action dated August 2, 2005, in which the Examiner rejected claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by Barrus (U.S. Pat. No. 6,192,480). With this Response, Applicants have amended claims 1, 9 and 18. Applicants also added claims 21-22. Based on the amendments and arguments presented herein, Applicants respectfully request reconsideration and allowable of the pending claims.

#### **I. TYPOGRAPHICAL ERRORS**

Item one (1) of the above Office action states that claims 35-42 are pending. Applicants assume this is a typographical error as the remaining items of the Office action are directed to claims 1-20.

#### **II. § 102 REJECTIONS**

Amended claim 1, in part, requires "providing an electronic storage device with an operational profile comprising at least two different settings to regulate power consumption and performance of the storage device." Claim 1 further requires that "the different settings to regulate power consumption and performance are based on a programmable data transfer rate of the storage device."

Barrus does not teach or suggest that "the different settings to regulate power consumption and performance are based on a programmable data transfer rate of the storage device" as required in claim 1. As taught in Barrus, battery power conservation is managed by adjusting either a hard drive spin down time, a display brightness or a CPU speed (see Figure 3A and col. 5, lines 39-43). More specifically, adjusting the hard drive spin down time is not related to "a programmable data transfer rate" as required in claim 1 because the hard drive is able to start/stop spinning without transferring data. Thus, Applicants believe the hard drive spin down time simply refers to the amount of time the hard drive continues to spin even when there are no read/write operations to perform. None of the power conserving features discussed in Barrus teach or suggest that "the different settings to regulate power consumption and performance are based on a programmable data transfer rate of the storage device" as required in claim 1.

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For at least these reasons, Applicants submit that claim 1 and all claims that depend from claim 1 are allowable.

Amended claim 9 requires "a storage device to be configured" and "a budget configuration tool coupled to the storage device wherein the budget configuration tool configures the power and performance of the storage device by setting device parameters associated with the storage device based on desired operation as selected by a user." Claim 9 further requires "the device parameters comprise an adjustable data transfer rate."

As previously mentioned, Barrus teaches battery power conservation is managed by adjusting either a hard drive spin down time, a display brightness or a CPU speed (see Figure 3A and col. 5, lines 39-43). However, Barrus does not teach or suggest "setting device parameters associated with the storage device ...wherein the device parameters comprise an adjustable data transfer rate." For at least this reason, Applicants submit that claim 9 and all claims that depend from claim 9 are allowable.

Amended claim 18, in part, requires "means for assisting a user in selecting a desired operation for a storage device based on the power and performance of the storage device, the power and performance of the storage device being associated with a programmable data transfer rate of the storage device." Barrus does not teach or suggest "the power and performance of the storage device being associated with a programmable data transfer rate of the storage device" as required in claim 18. For at least this reason, Applicants submit that claim 18 and all claims that depend from claim 18 are allowable.

### **III. NEW CLAIMS**

In addition to the reasons provided above with respect to claim 9, claim 21 requires "the device parameters further comprise an adjustable sleep mode setting." Barrus does not clearly teach or suggest this limitation. For at least this additional reason, Applicants submit that claim 21 is allowable.

In addition to the reasons provided above with respect to claim 9, claim 22 requires "the device parameters further comprise an error checking setting."

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Barrus does not clearly teach or suggest this limitation. For at least this additional reason, Applicants submit that claim 22 is allowable.

#### **IV. CONCLUSIONS**

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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